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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,719	10/30/2001	David Justin Ross	29094/14:2	2644

7590

06/30/2005

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EXAMINER
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ZIA, SYED

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

10/003,719

Applicant(s)

ROSS, DAVID JUSTIN

Examiner

Syed Zia

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 30 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/15/2001</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

This office action is in response to application filed on October 30, 2001. Original application contained Claims 1-5. Therefore, Claims 1-5 are pending for further consideration.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker et al. (U. S. Patent 5,884,270).

1. Regarding Claim 1 Walker et al. teach and describe an user authentication system (Fig1-2, abstract) comprising: a  
an authentication client for requesting authentication of a subject (col.7 line 33 to line 52, and col.15 line 26 to line 50);

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a user interface to receive the authentication request from the authentication client (col.9 line 35 to line 42);

multiple independently operated databases, each database storing information associated with the subject, the associated information being accessible through predefined queries to identify the subject (Fig.2A, col.7 line 53 to line 62, and col.15 line 56 to line 67);

and a verification engine for facilitating authentication of the subject by receiving the authentication request, selecting one or more of the predefined queries, presenting the one or more selected queries to the subject via the authenticating client, receiving from the subject an answer to each of the one or more selected queries, and presenting the answer to the multiple independently operated databases for a validation response (col.8 line 7 to col.9 line 5, and col.16 line to line 20).

2. Regarding Claim 4 Walker et al. teach and describe an authentication system (Fig1-2, abstract) comprising:

an authentication client for desiring authentication of an authentication subject (col.7 line 33 to line 52, and col.15 line 26 to line 50);

a plurality of independent database systems storing information identifying the authentication subject, the identifying information being accessible through predefined queries (Fig.2A, col.7 line 53 to line 62, and col.15 line 56 to line 67);

and a verification engine to receive from the authentication subject, via the authentication client, an answer to each of the predefined queries, to obtain from each of the plurality of

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independent database systems a corresponding authentication confidence for each answer, and to combine the corresponding authentication confidence for each answer into a combined authentication confidence (col.8 line 7 to col.9 line 5, and col.16 line to line 20).

3. Regarding Claim 5 Walker teach and describe user authorization method (Fig1-2, abstract) comprising the steps of:

presenting to an authentication subject one or more predefined queries from each of multiple independent databases of identifying information (col.9 line 35 to line 42); receiving from the authentication subject an answer to each of the selected queries (Fig.2A, col.7 line 53 to line 62, and col.15 line 56 to line 67);

presenting each answer to at least one of the multiple independent databases that has corresponding identifying information; obtaining from the multiple independent databases an authentication confidence level for each answer; and combining the authentication confidence level for each answer into a combined confidence level for authenticating the authentication subject (Fig.2A, col.7 line 53 to line 62, and, and col.8 line 7 to col.9 line 5, col.15 line 56 to line 67, and col.16 line to line 20).

4. Claims 2-3 are rejected applied as above rejecting Claim 1. Furthermore, Walker teach and describe a system a method wherein:

As per Claim 2 the associated information in the multiple independently operated databases includes out-of-wallet data identifying the subject (col.8 line 51 to col.9 line 5).

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As per Claim 3 further comprising a personal information database coupled to the verification engine, the personal information database containing in-wallet data identifying the subject (col.16 line 45 to col.17 line 5).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 571-272-3798. The examiner can normally be reached on 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

sz

June 17, 2005